

Message Text

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62

ACTION L-03

INFO OCT-01 ARA-16 ISO-00 JUSE-00 SCA-01 DODE-00 RSC-01

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R 082046Z AUG 74

FM AMEMBASSY BOGOTA

TO SECSTATE WASHDC 4208

LIMITED OFFICIAL USE BOGOTA 7067

EO 11652: NA

TAGS: PFOR CO

SUBJ: JUAN FRANCISCO NOVOA VS. IAGS

REF: BOGOTA 6573

1. ON AUG 6 THE FOURTH LABOR COURT KQRCUIT OF BOGOTA RELEASED THE TEXT OF ITS AUG 2 JUDGMENT, NULLIFYING ALL PREVIOUS PROCEEDINGS IN THE NOVOA CASE ON THE GROUNDS OF LACK OF JURISDICTION DUE TO DIPLOMATIC IMMUNITY.

2. THE AUG 2 DECISION MARKS THE FIRST SUCH APPLICATION IN COLOMBIA OF THE VIENNA CONVENTION ON CON TLAR RELATIONS.

3. ATTORNEY TORRES, WHO NOW IN THE US., PLANS TO DISCUSS THE CASE WITH BRUNO RISTAU, CHIEF OF THE FOREIGN LITIGATION UNIT, CIVIL DIVISION, DEPARTMENT OF JUSTICE.

4. TORRES BELIEVES THAT NOVOA MAY APPEAL THE CASE BUT THAT THE CHANCES OF AN APPEAL BEING SUSTAINED ARE VERY SLIGHT.

5. TORRES HSWS TOLD NOVOA'S ATTORNEYS THAT EMB IS PREPARED TO SETTLE OUT OF COURT, GIVING NOVOA AN AMOUNT EQUIVALENT TO WHAT HE WOULD HAVE RECEIVED UNDER COLOMBIAN LAW. SUCH SETTLEMENT WOULD BE ACKNOWLEDGED AS VOLUNTARY ON THE PART OF THE USG.

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6. ENGLISH AND SPANISH TEXTS OF AUG 2 JUDGMENT WILL BE POUCHED

WEEK AUG 12.

VAKY

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NNN

Message Attributes

Automatic Decaptioning: X
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Current Classification: UNCLASSIFIED
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Draft Date: 08 AUG 1974
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Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
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Disposition History: n/a
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